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NHTSA-03-14375-48

June 24, 2003

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**Dear members of the NHTSA,
Please be aware of my comments concerning this
proposed study, they mirror those of the MRF, which I
have included for your review should you not have easy
access to them. Thank you for this opportunity to voice
my concerns, please focus your agency resources on
making motorcycle riding safer by training we riders and
educating us and the general traveling public for greater
compatibility on our nations roads and highways.**

Sincerely,


rickbarlow@ATTBI.com

MRF's Public Comments Regarding NHTSA's Proposed Study of Rider Characteristics

June 20, 2003
Docket Management
Room PL-401
400 Seventh Street, S.W.
Washington, D.C. 20590
Reference: Docket NHTSA 2003-14375
Ladies and Gentlemen:

This letter provides the official comments of the Motorcycle Riders Foundation to Docket Number NHTSA 2003-14375, specifically the proposal by the National Highway Traffic Safety Administration to study "Characteristics of Motorcycle Operators." We should note that the above referenced docket number is the one provided in the "Federal Register," April 28, Volume 68, Number 82, with a stated deadline for public comment of 30 June 2003. Another source for the same NHTSA study proposal provides a deadline of 24 June. We request that the agency honor all public comments submitted and keep the public comment period open until 30 June 2003.

We want to begin by thanking Marvin M. Levy, Ph.D., of NHTSA for the insights and information he provided to us via telephone. We also thank the many motorcyclists who, at our suggestion, read the study proposal and shared with us their comments and observations. This public comment reflects the input of these many

motorcyclists, the vast majority of whom oppose the study proposal as fruitless and a waste of taxpayer dollars.

We are particularly concerned that NHTSA chose to cite the National Agenda for Motorcycle Safety as the rationale for its proposed interview of thousands of riders. The study proposal states unequivocally, "Recommendations from the National Agenda for Motorcycle Safety (National Agenda) indicated that additional research is needed to determine rider characteristics and factors leading to motorcycle crashes. This study supports the National Agenda and future efforts to reduce motorcycle injuries and deaths by providing updated information about rider operator characteristics, attitudes, and behaviors."

In our telephone conversation, however, Dr. Levy equivocated as to the degree to which the study proposal truly stemmed from, was supportive of or was supported by the National Agenda for Motorcycle Safety.

While the Motorcycle Riders Foundation was and remains critical of the "urgent" priority assigned to "additional research" recommended by the National Agenda, we participated in the development of the agenda and remain supportive of additional research. With respect to "urgency," we believe - and our member-State Motorcyclists' Rights Organizations (SMROs) believe - that the "urgent" priority for this Administration and this Congress is to enhance the delivery of motorcycle safety - both skill training to riders and motorcycle awareness to motorists. From the wearing of protective gear and the separating of drinking from riding to the application of collision avoidance skills, every conceivable behavioral concern on the part of NHTSA and motorcycle safety specialists is addressed, by experts, when training and awareness are delivered.

As you know, a modest but effective resource injection to assist motorcycle safety is the top priority of the joint MRF-SMRO agenda for the reauthorization of the Transportation Equity Act for the Twenty-First Century (TEA-21), and we await the Administration's support of this initiative that will prevent accidents, thwart injuries and save lives. An additional priority of ours is the establishment of a "Motorcyclist Advisory Council" in the immediate office of the Administrator of the Federal Highway Administration (FHWA) so that a meaningful dialogue can be established and maintained between motorcyclists, researchers who ride and the engineers of FHWA. The priority in TEA-21 reauthorization of our ally, the American Motorcyclist Association, is a major crash causation study employing "Organization for Economic Cooperation and Development (OECD) Common Methodology."

The National Agenda does not support **any** research, but **specific** research.

Regardless of whether reasonable individuals and organizations disagree as to the scope and breadth of an OECD study, it is this study methodology that is called for and supported by the National Agenda, not the proposed interviews of thousands of riders.

You ask whether "the proposed collection of information is necessary for the proper performance of the functions" of NHTSA and if it will have "practical utility." The proposed study is neither necessary nor will it offer practical utility.

You assert that 12-minute interviews of riders in 7 states will "help focus current programs and activities to achieve the greatest benefit,...develop new programs,...decrease the likelihood of such crashes, and...provide informational support to states, localities, law enforcement agencies, and motorcyclists that will aid them in their efforts to reduce motorcyclist crashes, injuries and fatalities."

None of these goals, however, will be achieved by the proposed study. And the rationale for that assertion is the National Agenda itself.

The National Agenda itself indicates that only a crash causation study using OECD methodology will produce the results desired by NHTSA and the stakeholders who took part in developing the National Agenda. Rider interviews cannot possibly

achieve the same ends as a crash causation study that involves "in-depth investigation and analysis [at the accident scene employing] "engineering, medical, motorcycle-qualified investigators [to include] crash causation as well as injury causation factors...human, vehicle, and environmental factors and all possible interactions." (Source: National Agenda for Motorcycle Safety.)

Even interviews of the crash-involved rider will yield results of highly questionable reliability, as interviews cannot possibly provide "an audit path between the raw data and final results" or even "verify crash configuration," two of the many prerequisites of a study employing OECD common methodology. (Source: National Agenda for Motorcycle Safety.)

Further, the document the agency cites as justification for its interview proposal states that a common methodology study "requires analysis of the population-at-risk to coincide with investigation of the crash population. Large-scale data sources such as departments of motor vehicles can be surveyed and compared to the population-at-risk identified through concurrent exposure data collection." The document goes on to caution, however, that even "exclusive reliance on these data will not define the true population-at-risk." If that is so, then surely reliance on rider interviews in 7 states, even if buttressed by data from NHTSA's National Center for Statistics and Analysis "will not define the true population-at-risk." (Source: National Agenda for Motorcycle Safety.)

In no way does the National Agenda for Motorcycle Safety support or serve as justification for the proposed interviews of riders, and NHTSA is in error in citing the National Agenda in this way.

We want to emphasize our unshakable commitment to **preventing** the crash in the first place, and we continue to appeal to you for a meaningful partnership and effective programs that lead to crash **prevention**. Properly structured and carefully monitored, a crash causation study will contribute directly to crash prevention (e.g., through incorporation of new lessons learned into rider training curricula). Rider interviews cannot. In this regard, we concur in an observation made by NHTSA in its recent "Motorcycle Safety Program:" the agency stated that "crash prevention...offers the greatest potential safety benefit for motorcyclists."

It is time to stop nibbling at the fringes of a problem we riders take very seriously and, I hasten to point out, very personally. NHTSA and Administration support for a resource injection to help motorcycle safety is long overdue.

Sincerely,

Thomas C. Wyld

Vice President, Government Relations

Motorcycle Riders Foundation